

RACHEL B. ABRAMS (Cal Bar No. 209316)
ADAM B. WOLF (Cal Bar No. 215914)
Peiffer Wolf Carr Kane Conway & Wise, LLP
555 Montgomery Street, Suite 820
San Francisco, CA 94111
Ph: (415) 766-3544
Fax: (415) 840-9435
Email: rabrams@peifferwolf.com
Email: awolf@peifferwolf.com

TIFFANY R. ELLIS (*Admitted PHV*)
Peiffer Wolf Carr Kane Conway & Wise, LLP
15 E. Baltimore Ave.
Detroit, MI 48202
Ph: (313) 210-1559
Fax: (415) 840-9435
Email: tellis@peifferwolf.com

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

A.P. v. Uber Technologies, Inc. et al., No. 3:25-cv-02105-CRB

Arpitkumar Patel v. Uber Technologies, Inc., et al.; No. 3:25-cv-05287-CRB

Jane Doe L.S. 618 v. Uber Technologies, Inc. et al., No.3:25-cv-06160-CRB

K.L. v. Uber Technologies, Inc., et al; 3:25-cv-06178-CRB

Case No.: 3:23-md-03084-CRB

Hon. Charles R. Breyer

**PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS
DUPLICATE CASES**

Date: December 12, 2025

Time: 10:00 a.m.

Courtroom: 6 – 17th Floor

1. INTRODUCTION

On October 14, 2025, Defendants filed a Motion to Dismiss the claims of the above-

1 listed Plaintiffs on the grounds that Plaintiffs have two duplicative actions in this multidistrict
2 litigation. [Document 4145]. Regarding the two cases represented by Peiffer Wolf Carr Kane
3 Conway & Wise, the dual representation issues have been cured and therefore Uber's motion
4 to dismiss should be denied

5 6 **II. STATEMENT OF FACTS**

7 **A. Patel**

8 On February 28, 2025, Peiffer Wolf Carr Kane Conway & Wise filed a complaint on
9 behalf of Plaintiff A.P. alleging sexual assault or harassment by an Uber driver in New Jersey
10 on June 27, 2023. *Complaint, A.P. v. Uber Technologies, Inc. et al., No. 3:25-cv-02105-CRB,*
11 *ECF No. 1* (N.D. Cal. Feb. 28, 2025). Plaintiff A.P. filed a second complaint relating to the
12 same incident on June 27, 2025, through the Ben Martin Law Group and abandoning the
13 pseudonym. *Patel v. Uber Technologies, Inc. et al., No. 3:25-cv-05287-CRB, ECF No. 1*
14 (N.D. Cal. June 27, 2025).

15 Peiffer Wolf and Ben Martin Law Group have resolved this dual representation issue.
16 Peiffer Wolf will continue their case filed on behalf of Plaintiff A.P., and Ben Martin Law
17 Group has agreed to dismiss their case.

18 **B. K.L.**

19 On July 22, 2025, Plaintiff Jane Doe LS 618, through counsel at Levin Simes, LLP,
20 filed a complaint alleging a driver on the Uber platform sexually assaulted or harassed her in
21 Dallas, Texas, on July 29, 2023. *Complaint, Jane Doe L.S. 618 v. Uber Technologies, Inc. et*
22 *al., No.3:25-cv-06160-CRB, ECF No. 1* (N.D. Cal. July 22, 2025). On July 23, 2025, Plaintiff
23 filed a second complaint relating to the same incident under a different pseudonym through
24 counsel at Peiffer Wolf Carr Kane Conway & Wise. *Complaint, K.L. v. Uber Technologies,*
25 *Inc. et al., No. 3:25-cv-06178-CRB, ECF No. 1* (N.D. Cal. July 23, 2025).

26 Peiffer Wolf and Levin Simes have resolved this dual representation issue. Levin
27 Simes will continue their case filed on behalf of this Plaintiff, and Peiffer Wolf intends to
28

1 dismiss their case.

2 III. ARGUMENT

3
4 Plaintiffs in mass tort litigations unfortunately may get confused and hire a different
5 law firm than the one that they originally contacted for representation. An individual might
6 sign with one firm and then sign with a second firm, mistakenly believing it is the same law
7 firm. This is not uncommon in large mass tort litigations. Plaintiffs A.P. and K.L. mistakenly
8 signed contracts for representation with two different law firms, resulting in duplicative
9 complaints being filed. However, this was not intentional and there was no bad faith. Plaintiffs
10 have rectified the dual filing issues, and Uber's motion for dismissal is moot.

11
12 Further, Uber's request for sanctions is procedurally improper. A motion for sanctions
13 must be brought on motion after notice to the opposing party. Fed. R. Civ. P. 37; N.D. Cal.
14 Civ. L.R. 7-2, 7-8. Because Uber fails to satisfy this threshold procedural requirement its
15 request should be denied.

16
17 Additionally, Uber's request for sanctions is meritless. Uber cites to cases where
18 sanctions were awarded for clear litigation abuses or bad faith conduct. *See Evon v. Law Offices*
19 *of Sidney Mickell*, 688 F.3d 1015, 1035 (9th Cir. 2012); *Burris v. JPMorgan Chase & Co.*, No.
20 21-16852, 2024 WL 1672263, at *3 (9th Cir. 2024). Here, there was no litigation abuse or bad
21 faith conduct. Plaintiffs mistakenly contracted with two different law firms and promptly cured
22 the dual case filings.

23 III. CONCLUSION

24
25 For the foregoing reasons, Plaintiffs respectfully request that the Court deny Defendants'
26 Motion to Dismiss.

1 Dated: October 28, 2025

Respectfully Submitted by:

2 /s/ Rachel Abrams

3 Rachel B. Abrams (Bar #209316)
4 Adam B. Wolf (Cal Bar No. 215914)
5 **Peiffer Wolf Carr Kane Conway & Wise**
6 555 Montgomery Street, Suite 820
7 San Francisco, CA 94111
8 Ph: 415-766-3544
9 Fax: (415) 840-9435
10 Email: rabrams@peifferwolf.com
11 awolf@peifferwolf.com

12 Tiffany R. Ellis (*Admitted PHV*)
13 **Peiffer Wolf Carr Kane Conway & Wise**
14 15 E. Baltimore Ave.
15 Detroit, MI 48202
16 Ph: (313) 210-1559
17 Fax: (415) 840-9435
18 Email: tellis@peifferwolf.com
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that, on, October 28, 2025, I electronically filed the following with the Clerk of the Court using the CM/ECF System, which will send notification of such filing via electronic mail to all counsel of record as maintained in the CM/ECF electronic system.

Dated: October 28, 2025

Respectfully Submitted by:

/s/ Rachel Abrams

Rachel B. Abrams (Bar #209316)
Adam B. Wolf (Cal Bar No. 215914)

Peiffer Wolf Carr

Kane Conway & Wise, LLP

555 Montgomery Street, Suite 820

San Francisco, CA 94111

Ph: 415-766-3544

Fax: (415) 840-9435

Email: rabrams@peifferwolf.com

awolf@peifferwolf.com

Tiffany R. Ellis (*Admitted PHV*)

Peiffer Wolf Carr

Kane Conway & Wise, LLP

15 E. Baltimore Ave.

Detroit, MI 48202

Ph: (313) 210-1559

Fax: (415) 840-9435

Email: tellis@peifferwolf.com